

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAUCH INDUSTRIES, INC.,

Plaintiff,

-against-

HEART ARTIST LLC AND CHRISTOPHER
RADKO,

Defendants.

USDC SDNY
DOCUMENT
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1:22-cv-00909-MKV

ORDER OF DISMISSAL

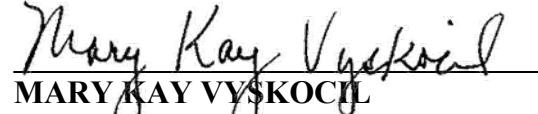
MARY KAY VYSKOCIL, United States District Judge:

The Court has been advised by Magistrate Judge Cott that the parties have reached a settlement in principle. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by October 27, 2023. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

It is further ORDERED that the status conference scheduled for October 3, 2023 is adjourned *sine die*.

SO ORDERED.

Date: September 27, 2023
New York, NY


MARY KAY VYSKOCIL
United States District Judge